

**REMARKS/ARGUMENTS**

Reconsideration is respectfully requested of the Official Action of May 21, 2004, relating to the above-identified application.

A petition for a one-month extension of time, together with the associated fee is filed herewith.

The specification has been amended in accordance with the Examiner's objections and recommendations set forth on page 2 of the Official Action. Also, the specification has been revised to improve English language usage.

Claim 3 has been amended in order to overcome the objection set forth on page 3 in paragraph 2 of the Official Action.

Claim 6 has been amended to overcome the rejection of that claim under 35 U.S.C. § 112 (second paragraph) as being allegedly indefinite.

It is believed that with the foregoing amendments to the specification and the claims, all of the formalities have been complied with and the claims comply with 35 U.S.C. § 112.

The rejection of Claim 1, under 35 U.S.C. § 102(e), as anticipated by *Yasui* (US 6,483,429), is traversed and reconsideration is respectfully requested. Filed herewith and made a part of this record is a certified translation of the Japanese priority document filed on May 30, 2000, which is prior in time to the effective date (October 20, 2000) of the *Yasui* '429 patent. It is therefore submitted that since the translation of the priority document shows all of the subject matter as defined by Claim 1, it is respectfully submitted that the rejection of Claim 1, under 35 U.S.C. § 102(e), should be withdrawn.

With the deletion of Claim 4, the rejection of that claim has been rendered moot.

The rejection of Claims 1 and 5 under 35 U.S.C. § 102(e), as anticipated by *Strumolo* (US 6,535,242), is traversed and reconsideration is respectfully requested. Applicants rely on the certified translation of the Japanese priority document in order to overcome this rejection. The certified translation shows that the subject matter of Claims 1 and 5 was fully disclosed and described in that Japanese priority application which has an earlier date than the reference relied on this in rejection. Accordingly, applicants respectfully request that the rejection of Claims 1 and 5, under 35 U.S.C. § 102(e) as anticipated by the *Strumolo* '242 patent be withdrawn.

The rejection of Claims 1-3, under 35 U.S.C. § 103(a), as allegedly obvious over *Sato* (US 6,445,815), in view of *Hamilton* (US 5,296,854), is traversed and reconsideration is respectfully requested.

Claim 1 has been amended to include the limitations of Claim 4 and, consequently, applicants respectfully submit that the references fail to render obvious the subject matter of amended Claim 1. There is no suggestion, motivation or reason contained in either one of *Sato* or *Hamilton* why a person skilled in the art would provide an integrated vision system wherein the integrated vision data generator is capable of removing the three-dimensional vision data from the integrated vision data. Applicants believe that this feature, together with the feature of Claim 6, define the subject matter as a whole of Claims 1 and 3, and, therefore, the subject matter as a whole is not rendered *prima facie* obvious by the combination of references.

To establish a *prima facie* obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine

reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure, *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

In determining the propriety of the Patent Office case for obviousness in the first instance, it is necessary to ascertain whether or not the reference teachings would appear to be sufficient for one of ordinary skill in the relevant art having the reference before him to make the proposed substitution, combination, or other modification. *In re Linter*, 458 F.2d 1013, 173 USPQ 560, 562 (CCPA 1972).

Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990).

A statement that the modifications of the prior art to meet the claimed invention would have been "well within the ordinary skill of the art at the time the claimed invention was made" because the references relied upon teach that all aspects of the claimed invention were individually known in the art is not sufficient to establish a *prima facie* obviousness without

some objective reason to combine the teachings of the references. *Ex parte Levengood*, 28 USPQ 2d, 1300 (Bd. Pat. App. & Int. 1993).

For reasons set forth above, it is requested that the rejections of Claims 1-3 under 35 U.S.C. § 103(a) be withdrawn.

The rejection of Claim 6, under 35 U.S.C. § 103(a), as unpatentable over *Strumolo*, in view of *Sarangapani* (US 6,055,042), further in view of *Shoucri* (US 5,999,122), and the *Owens* article is traversed and reconsideration is respectfully requested.

Claim 6 depends on Claim 1 which has been clearly amended to insert the additional limitation concerning the integrated vision data generator being capable of removing the three-dimensional vision data from the integrated vision data. The subject matter as a whole of Claim 1 is not suggested by the references and, therefore, there would be no motivation for a person skilled in the art to combine the references in the manner proposed on page 9, paragraph 18 of the Official Action to arrive at the invention as claimed in Claim 6. Accordingly, applicants respectfully submit that the rejection should be withdrawn. Moreover, the certified translation operates to remove the *Strumolo* patent because of the earlier data of applicants' priority application.

With regard to new Claims 7 and 8, applicants submit that these claims are patentable over the cited prior art for reasons set forth above. These claims are alternative versions of original Claim 1 and define the obstacle data, including at least one of symbolized and emphasized obstacles as disclosed on page 6, lines 5-8. Claim 8, moreover, defines the integrated image display for displaying the integrated view data as visible images by overlapping with an actual view from a cockpit, as described on page 7, lines 26-30, of the application. It is,

therefore, respectfully submitted that none of the documents either describe, teach or suggest the subject matter of Claims 7 and 8.

The Examiner is thanked for providing such a thorough and careful Official Action and requests favorable action at the Examiner's earliest convenience.

Respectfully submitted,

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